

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE MERRILL LYNCH & CO., INC.
SECURITIES, DERIVATIVE AND ERISA
LITIGATION

Master File No. 07-cv-9633 (JSR)(DFE)

This Document Relates To:
Louisiana Sheriffs' Pension and Relief Fund, et al.
v. Conway, et al., 08cv9063 (JSR)(DFE)

**NOTICE OF BOND COUNSEL'S MOTION FOR AN AWARD OF
ATTORNEYS' FEES AND REIMBURSEMENT OF LITIGATION EXPENSES**

TO: ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that upon the (i) Declaration of Max W. Berger and Mark Lebovitch in Support of Bond Plaintiffs' Motion for Final Approval of Class Action Settlement and Certification of the Bond Class and Motion for Approval of Plan of Allocation of Settlement Proceeds, and Bond Counsel's Motion for an Award of Attorneys' Fees and Reimbursement of Litigation Expenses; and (ii) Memorandum of Law in Support of Bond Counsel's Motion for an Award of Attorneys' Fees and Reimbursement of Litigation Expenses, being filed concurrently herewith; and all prior proceedings had herein, Bond Counsel will move this Court before the Honorable Jed S. Rakoff on November 23, 2009 at 4:00 p.m. at the United States District Court for the Southern District of New York, 500 Pearl Street, New York, NY 10007, for entry of an Order approving Bond Counsel's request for an award of attorneys' fees and reimbursement of litigation expenses.

Dated: October 23, 2009

Respectfully submitted,

**BERNSTEIN LITOWITZ BERGER
& GROSSMANN LLP**

/s/ Max W. Berger

By: Max W. Berger
Mark Lebovitch
1285 Avenue of the Americas
New York, New York 10019
Tel: (212) 554-1400
Fax: (212) 554-1444

Bond Counsel